IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7782 OF 2005
IN
CRIMINAL APPEAL NO.1110 OF 2005

Abdul Samad Mohammed Hussein. ..Applicant.

V/s.

State of Maharashtra. ..Respondent.

Mr.A.P.Gupte & Niranjan Mundargi for applicant.

Mr.U.V.Nikam, APP for State.

CORAM: A.M.KHANWILKAR,J

DATE : DECEMBER 7, 2005.

P.C. :

1. Heard.

2. This application for bail is filed by Accused No.5. He has been convicted for the offence under section 412 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for five years and also to pay fine of Rs.5,000/- i.d. to undergo S.I. for one year. The sentence is short sentence. Appeal is already admitted as arguable question is raised. It is unlikely that appeal will be heard in near future as appeals prior to 1995 are still pending. Applicant was on bail during the pendency of trial. There is nothing on record to indicate that he has misused that bail. Accordingly, in the interest of

justice, applicant deserves to be enlarged on bail on the following conditions.

(A) The applicant is directed to be released on bail on furnishing bail bond in the sum of Rs.50,000/- with two local sureties in like amount.

(B) The applicant shall furnish latest residential address to the concerned police station before his release and thereafter from time to time, if there is any change within one week from such change.

(C) The applicant shall report to the concerned police Station once in a month on first Monday of every English Calender Month from 10 a.m. to 12 noon.

(D) The applicant shall surrender his passport, if any, to the concerned police station. In case, he does not possess any passport, affidavit to that effect be filed in this court, as condition for bail.

3. Application disposed of on the above terms.